

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 21-41942

JAMES EDWARD SCHULTZ, II,  
and ANGEL RENEE SCHULTZ,

Chapter 7

Judge Thomas J. Tucker

Debtors.

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**ORDER GRANTING THE UNITED STATES TRUSTEE'S  
MOTION FOR RULE 2004 EXAMINATIONS AND RELATED RELIEF**

This case is before the Court on the United States Trustee's motion, entitled "Motion for 2004 Examinations of James Edward Schultz, II and Angel Renee Schultz and to Compel Production of Documents," filed on December 3, 2021 (Docket # 95, the "Motion"). On December 17, 2021, the Debtors' attorney, only, filed a response, objecting to the Motion. The Debtors themselves did not file a response to the Motion, and the deadline for doing so, at the latest, was December 20, 2021.

The Court will grant the Motion, on the terms stated in this Order, for the following reasons: (1) first, while the Debtors might have had standing to object to the Motion, they did not file any timely objection or response, and by allowing the response deadline to pass without responding, the Debtors have forfeited their rights to object to the Motion on any ground, including any ground asserting a privilege; (2) the Debtors' *attorney* lacks standing to object to the Motion; and (3) in any event, the Court finds good cause to grant the Motion, and would overrule the objection filed by the Debtors' attorney even if he had standing to object.

Accordingly,

IT IS ORDERED that the Motion (Docket # 95) is granted, on the terms stated in this

Order.

IT IS FURTHER ORDERED that no later than **January 10, 2022**, the United States Trustee must obtain and file a transcript of each of the November 18, 2021 Rule 2004 Examinations of the Debtors, referred to in paragraph 6 of the Motion.

IT IS FURTHER ORDERED that James Edward Schultz, II and Angel Renee Schultz each must appear for a Bankruptcy Rule 2004 examination by remote video teleconference to take place on **Tuesday, January 11, 2022 at 10:00 a.m.**, and must testify as to the information and issues raised in the Motion. Both of the Debtors must appear at this time. The exams will take place in an order to be determined by the United States Trustee. The second Rule 2004 Exam will begin upon conclusion of the first Rule 2004 Exam. The Debtors, or their counsel if the Debtors are represented, must contact counsel for the United States Trustee by e-mail at [ariel.olah@usdoj.gov](mailto:ariel.olah@usdoj.gov) **no later than January 4, 2022** for instructions on how to attend the remote Rule 2004 Exams.

IT IS FURTHER ORDERED that **no later than January 4, 2022**, James Edward Schultz, II and Angel Renee Schultz must produce in electronic format, by e-mail, to counsel for the United States Trustee all of the following: (1) all documentation and evidence relating to fee agreements, fees assessed, payment, or potential fees to be assessed in this case; and (2) all electronic communication and all other documentation and evidence containing any information as to when the Wisely statements for Mrs. Schultz's MetaBank card were sent to attorney Stuart Sandweiss, or otherwise attempted to be produced by the Debtors.

IT IS FURTHER ORDERED that the Debtors may not withhold production of any documentation, evidence, or information of the type described in this Order, above, on any

ground of privilege or for any other reason, and the Debtors may not destroy, dispose of, or conceal any evidence containing any information of the type described in this Order, above.

IT IS FURTHER ORDERED that ***no later than December 22, 2022***, counsel for the United States Trustee must serve a copy of this Order on each of the Debtors, by first class mail, and file proof of such service.

**Signed on December 21, 2021**



**/s/ Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**